

**PLANNING COMMISSION
SITE PLAN WAIVER REQUEST REVIEW SHEET**

CASE NUMBER: SP-2015-0303C **PLANNING COMMISSION
HEARING DATE:** April 12, 2016

PROJECT NAME: Mount Zion Baptist Church Family Life Center

ADDRESS: 2938 E 13th St

NEIGHBORHOOD PLAN: Rosewood NP

COUNCIL DISTRICT #: 1

APPLICANT: Mount Zion Baptist Church (Luke Mercer) (512) 469-5988
2938 E 13th Street
Austin, TX 78702

AGENT: Chan & Partners Engineering LLC, (Zhipeng Xing) (512) 480-8155
4319 James Casey Ste 300
Austin, TX 78745

CASE MANAGER: Rosemary Avila Phone: 512-974-2784
Rosemary.avila@austintexas.gov

PROPOSED DEVELOPMENT:

The applicant is proposing to construct an addition to a religious assembly with associated site improvements. The church additions total 42,802 square feet and vary in height from 40' to 34'-3".

DESCRIPTION OF WAIVERS:

The applicant is requesting a waiver from § 25-2-1063, a person may not construct a structure 25 feet or less from a property in an urban family residence (SF-5) or more restrictive zoning district.

The proposed retaining wall for the religious assembly building is encroaching into the 25' compatibility setback, the wall is 5.6' from the SF-3-NP north property line. A concrete slab (2' x 2.58') for a transformer and another concrete slab (4' x 9.12') for a doorway to a mechanical and electrical room are also within the 25' compatibility setback (the doorway is not an entrance or exit).

SUMMARY STAFF RECOMMENDATION:

Staff recommends approval of the waiver requests. The religious assembly building is not within the 25' compatibility setback. Two adjacent neighbors to the north of the site have signed concurrence letters for the proposed retaining wall, see letters attached in the back-up material. Adequate screening will be provided, a fence with bushes and trees.

COMPATIBILITY:

Section 25-2-1051 states that Article 10 Compatibility Standards apply if a use in a SF-6 or less restrictive zoning district is located on a property across the street from or adjoining a property on which a use is permitted in a SF-5 or more restrictive zoning district is located.

The proposed development is subject to Compatibility standards on all sides of the site. The adjacent properties to the north are zoned SF-3-NP, the lots trigger the 25' compatibility setback. All buildings,

parking and drives meet the 25' setback requirement; the retaining wall and the two concrete slabs are the only structures that trigger the waiver request. The site complies with all other compatibility standard requirements, such as lighting, screening, and building height.

PROJECT INFORMATION:

| | | | |
|-------------------------|---|-------------|------------------|
| SITE AREA | 58,852 square feet | 1.351 acres | |
| EXISTING ZONING | GR-MU-CO-NP | | |
| WATERSHED | Boggy Creek | | |
| WATERSHED ORDINANCE | Comprehensive Watershed Ordinance (Urban) | | |
| TRAFFIC IMPACT ANALYSIS | Not required | | |
| CAPITOL VIEW CORRIDOR | None | | |
| PROPOSED ACCESS | E 13 th Street | | |
| | Allowed/Required | Existing | Proposed |
| FLOOR-AREA RATIO | 1:1 | 0.34:1 | 0.73:1 |
| BUILDING COVERAGE | 60% | 26.3% | 52.5% |
| IMPERVIOUS COVERAGE | 80% | 82.7% | 79.4% |
| PARKING | 114 | 140 | 23 Total: 163 |

EXISTING ZONING AND LAND USES:

| | ZONING | LAND USES |
|--------------|--|--|
| <i>Site</i> | GO-MU-CO-NP | Religious Assembly |
| <i>North</i> | SF-3-NP | Single Family |
| <i>South</i> | E 13 th St, then SF-3-NP and GO-MU-CO-NP | Single Family (SF lots) Parking (Commercial lots) |
| <i>East</i> | Harvey Street, then SF-3-NP | Single Family |
| <i>West</i> | SF-3-NP | Single Family |

ABUTTING STREETS:

| Street | Right-of-Way Width | Pavement Width | Classification |
|---------------------------|---------------------------|-----------------------|-----------------------|
| Harvey Street | 53' | 30' | Local |
| E 13 th Street | 50' | 30' | Local |

NEIGHBORHOOD ORGNIZATIONS:

African American Cultural Heritage District Business Association
 Austin Heritage Tree Foundation
 Austin Independent School District
 Austin Neighborhoods Council
 Austin Parks Foundation
 Beyond2ndNature
 Bike Austin
 Del Valle Community Coalition
 East Austin Conservancy
 Friends of Austin Neighborhoods
 Friends of Emma Barrientos MACC
 Preservation Austin
 Rosewood Neighborhood Contact Team
 SEL Texas
 Sierra Club, Austin Regional Group
 United East Austin Coalition



3 of 7
Chan & Partners Engineering, LLC
4319 James Casey Street, Suite 300 Austin, Texas 78745
Phone (512) 480-8155 Fax (512) 480-8811
TBPE Firm Registration No. F-13013
www.chanpartners.com

March 11, 2016

City of Austin
Planning Commission
505 Barton Spring Road
Austin, Texas 78704

RE: MT. ZION BAPTIST CHURCH FAMILY LIFE CENTER
2938 EAST 13TH STREET
Compatibility Waiver
SP-2015-0303C

To Whom It May Concern:

This letter is to request a waiver from Section 25-2-1063(B) of the Land Development Code. The referenced project, as proposed, would encroach within the 25' setback line along the north property line which is adjacent to an SF-5 or more restrictive use. Specifically, part of the retaining wall on the north of the proposed new building, the concrete slabs at the doorways on the north side of the building, and the concrete pad for the transformer will be in this 25' setback zone. The adjacent land use is single family residential (SF-3).

Due to the topography of the site and to preserve the trees at natural ground along the north property line, it is necessary to have the retaining wall. The top of the retaining wall will remain at the existing ground level viewed from adjacent properties. The concrete slabs are right at the door way of the new building for landing purpose.

Approval of this waiver will not affect storm water runoff and water quality.

Please feel free to contact us should you have any questions regarding this Compatibility Waiver.

Sincerely,

CHAN & PARTNERS ENGINEERING, LLC

John R. King, P.E.

3-25, 2016

Mr. Donley Manuel
2947 E14th Street
Austin, TX 78702

**RE: Mt. Zion Baptist Church
2938 E13th Street
Proposed Family Life Center within Compatibility Setback**

Dear Mr. Manuel:

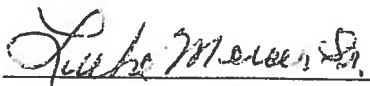
As you may know, we are proposing a new Family Life Center on the east side of our Sanctuary building. On the north side of the Family Life Center adjacent to your property, we are proposing to build a retaining wall. However, because your property is zoned SF-3 (Single Family), we need approval from the Planning Commission in order to build the retaining wall within a 25-foot compatibility setback, which measures 25-foot wide along the property line that divides the church and your property.

One of the best ways to ensure Planning Commission approval is to obtain concurrence from you to not object to the proposed retaining wall being within the 25-foot setback. We are proposing this retaining wall to preserve the trees along the property lines at natural ground and due to topography constraints. The top of the retaining wall will be at existing ground level viewed from your property and there is also adequate screening from bushes and trees along the fence. No part of the new building is in the 25-foot setback.

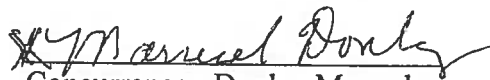
We sincerely hope that you will not object to our proposed retaining wall being within the 25-foot setback. We need this retaining wall in order to build the Family Life Center.

If this is acceptable, please sign your concurrence below. Please call me at 512-477-8080 or email me at _____ if you have questions or comments. We appreciate your help on this project.

Sincerely,



Mt. Zion Baptist Church



Concurrence: Donley Manuel
Owner, 2947 E14th Street

2-2-, 2016

Mr. Williams Zeola
2945 E14th Street
Austin, TX 78702

**RE: Mt. Zion Baptist Church
2938 E13th Street
Proposed Family Life Center within Compatibility Setback**

Dear Mr. Zeola:

As you may know, we are proposing a new Family Life Center on the east side of our Sanctuary building. On the north side of the Family Life Center adjacent to your property, we are proposing to build a retaining wall. However, because your property is zoned SF-3 (Single Family), we need approval from the Planning Commission in order to build the retaining wall within a 25-foot compatibility setback, which measures 25-foot wide along the property line that divides the church and your property.

One of the best ways to ensure Planning Commission approval is to obtain concurrence from you to not object to the proposed retaining wall being within the 25-foot setback. We are proposing this retaining wall to preserve the trees along the property lines at natural ground and due to topography constraints. The top of the retaining wall will be at existing ground level viewed from your property and there is also adequate screening from bushes and trees along the fence. Also, there will be one concrete slab at the doorway to the new building in the 25-foot setback, but it is only at the doorway and far from the property line. No part of the new building is in the 25-foot setback.

We sincerely hope that you will not object to our proposed retaining wall and the concrete slab being within the 25-foot setback. We need this retaining wall in order to build the Family Life Center.

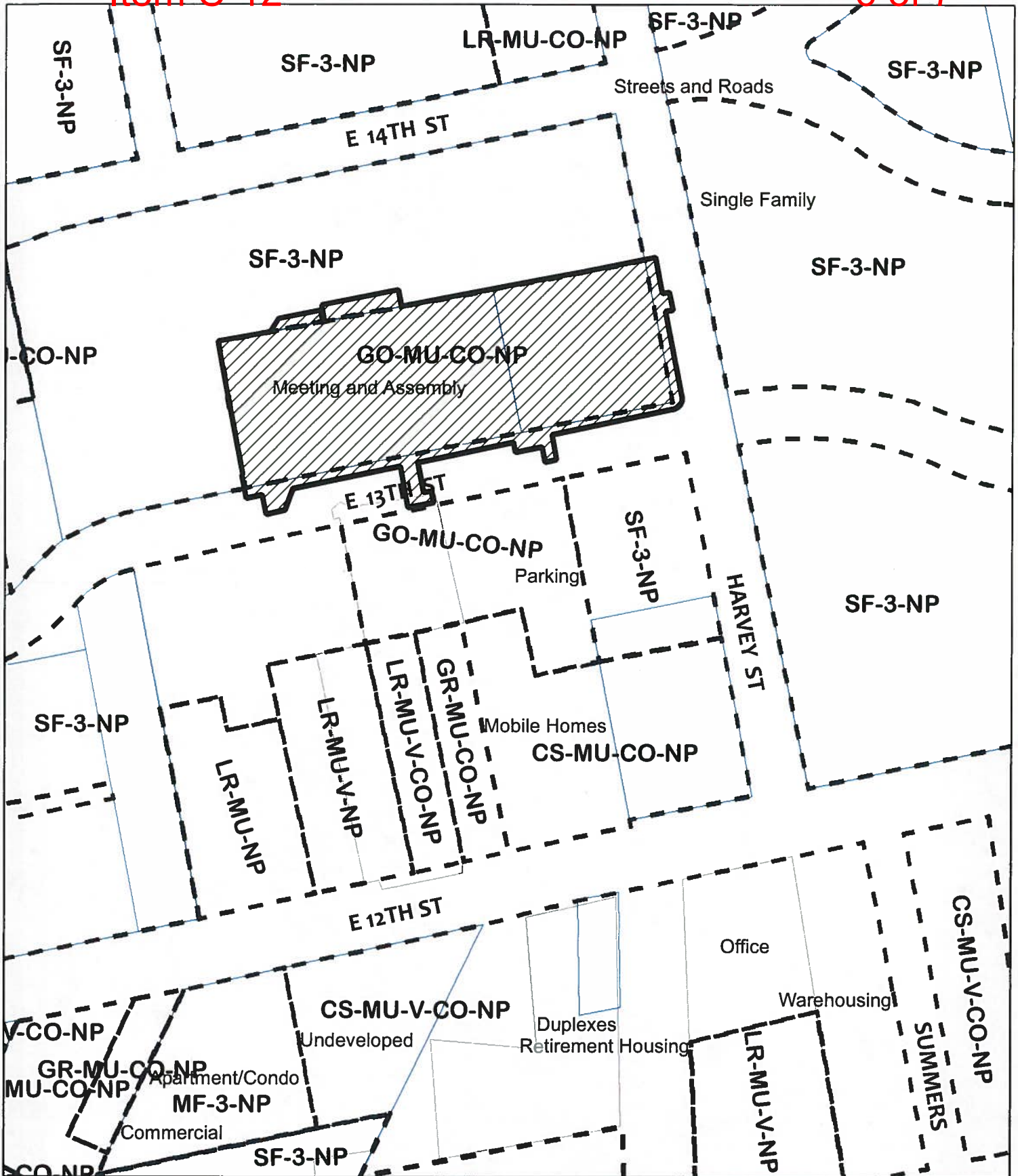
If this is acceptable, please sign your concurrence below. Please call me at 512-552-0678 or email me at MR. Michael Williams 1951@gmail.com if you have questions or comments. We appreciate your help on this project.

Sincerely,

Luke Mercer

Mt. Zion Baptist Church

512-522-0678
Michael D. Williams C/o Zeola Williams
Concurrence: Williams Zeola
Owner, 2945 E14th Street





Site Plan Waiver

CASE#: SP-2015-0303C

ADDRESS: 2938 E 13th Street Unit 2

CASE NAME: Mount Zion Baptist Church Family Life Center

MANAGER: Rosemary Avila

 **SUBJECT TRACT**
 **ZONING BOUNDARY**

0 60 120 240 Feet

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by the Planning and Development Review Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



OPERATOR: R. Avila

